



Docket No.: 243643US2TTC



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/686,705

Applicants: Yuuji SAWANAGA, et al.

Filing Date: October 17, 2003

For: MEDICAL EQUIPMENT MANAGEMENT  
APPARATUS WHICH PREDICTS FUTURE STATUS  
OF MEDICAL EQUIPMENT

Group Art Unit: 3626

Examiner: BLECK, CAROLYN M.

SIR:

Attached hereto for filing are the following papers:

**PROVISIONAL ELECTION**

Our credit card payment form in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

YUUJI SAWANAGA, ET AL. : EXAMINER: BLECK, CAROLYN M.

SERIAL NO: 10/686,705 :

FILED: OCTOBER 17, 2003 : GROUP ART UNIT: 3626

FOR: MEDICAL EQUIPMENT  
MANAGEMENT APPARATUS WHICH  
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PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
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SIR:

In response to the election requirement dated June 20, 2006, Applicants provisionally elect with traverse Group I, Claims 1-38 drawn to substantially, a system including a reception unit configured to receive parameter data regarding the medical equipment, a storage unit configured to store the parameter data, a prediction unit configured to calculate an expectancy of the parameter data to be received in the future based on the stored parameter data, a determination unit configured to determine a level of expectancy, and an informing unit configured to issue a notice to the medical facility through the network according the determined level, classified in class 700, subclass 21, for further examination on the merits. Applicants reserve the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

Application No. 10/686,705  
Reply to Office Action of June 20, 2006

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a handful of sub-classes. Furthermore, since electronic searching is commonly performed, a search may be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-48 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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